



**State of Tennessee**  
**Department of Environment and Conservation**  
**Division of Water Pollution Control**  
**Mining Section**  
**3711 Middlebrook Pike**  
**Knoxville, Tennessee 37921-6538**  
**PHONE (865) 594-6035 FAX (865) 594-5253**

**Notice of NPDES Public Hearing**

**Public Notice M2008-13**

**July 18, 2008**

**Last Day to Submit Written Comments for Hearing: September 8, 2008 (4:30 p.m. EDT)**

**NOTICE IS HEREBY GIVEN**, that the Division of Water Pollution Control, Mining Section, will hold the following public hearing pursuant to *Rule 1200-4-5-.06* of the Tennessee Department of Environment and Conservation. The date, time and location of the hearing follow:

**Tuesday, August 26, 2008**  
**7:00 p.m. EDT**  
**Indoor Pavilion**  
**Cove Lake State Park**  
**110 Cove Lake Lane**  
**Caryville, Tennessee**

At the hearing, the Department will receive public comments concerning the reissuance of a National Pollutant Discharge Elimination System (NPDES) permit. The permit applicant and site information follow:

**Company Information**

Premium Coal Company, Inc.  
Mr. Robert S. Swisher  
P. O. Box 480  
Lake City, TN 37769

**Site Information**

Area 18  
NPDES Permit TN0071307  
Highway 116 at Graves Gap  
Anderson County  
Windrock, TN 37840

The proposed reissuance of this permit for a surface coal mine was announced in Public Notice M2008-10 on June 12, 2008. This notice can be found on the Division's website at <http://www.tennessee.gov/environment/wpc/ppo/mining>.

The draft NPDES permit covers discharges of treated wastewater and storm water from an existing surface coal mine. Discharges are to Ligias Fork, Mud Suck Creek, Cow Creek, and Stone Flat Creek.

These streams are neither designated as Exceptional Tennessee Waters nor included on the State's 303(d) list of impaired streams. The tentative decision to reissue this permit is based on the Division's determination that the discharges will not result in degradation of these waters. The applicant is not proposing any changes or revisions and has requested renewal based on current approved plans.

The hearing officer may limit oral presentations to five minutes and require that all testimony be relevant to water quality-related issues for this facility. Undue repetition in oral presentations should be avoided so that all interested parties will have an opportunity to present their concerns relative to water quality issues. Written testimony will be accepted at the hearing and for at least ten days following the hearing.

Comments not related to water quality or to the information contained in the permit application will not be accepted nor considered part of the hearing record. Issues not directly related to water quality or to the draft permit, such as safety, blasting, traffic or related issues will not be considered. We do not control these matters and consideration would not contribute relevant information to the decision making process for the NPDES permit application.

Interested persons may obtain additional information and copy the application, draft permit, and supporting documentation from the permit files maintained at the Mining Section's office at the letterhead address. There is a nominal fee for copying. These files are available for public inspection during normal visiting hours by contacting Tina Jones by email at [Tina.E.Jones@state.tn.us](mailto:Tina.E.Jones@state.tn.us) or by phone at (865) 594-5616 to schedule an appointment for the review. A copy of the permit application and draft permit will be available for review at the hearing.

Individuals with disabilities who wish to participate in these proceedings should contact the Department's *Americans with Disabilities Act* (ADA) Coordinator, Human Resources Division, 401 Church Street, 12th Floor, L & C Tower, Nashville, TN 37243, **1-866-253-5827**. Such contact may be in person, by writing, telephone, or other means and should be made no later than **August 15, 2008**, to allow time to provide such aid or services. Hearing impaired callers may use the Tennessee Relay Service (**1-800-848-0298**).